

Docket : 034119.002

**Declaration and Power of Attorney  
United States Patent Application**

UNITED STATES  
Patents and Design Patents  
Sole & Joint Inventors  
Convention & Non-convention  
PCT & Non-PCT  
*This form cannot be amended, altered  
or changed after it is signed.  
(For use only for inventors who  
understand the English language.)*

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first and sole inventor (*if only one name is listed below*), or an original, first and joint inventor (*if plural names are listed below*), of the subject matter which is claimed and for which a patent is sought on the invention entitled :

**CAPACITANCE TYPE LIQUID SENSOR**

the specification of which : (*check one*)

- is attached hereto
- was filed as Attorney Docket No. \_\_\_\_\_ on \_\_\_\_\_
- was filed as U.S. Application No. \_\_\_\_\_ on \_\_\_\_\_  
and (*if applicable*) was amended on \_\_\_\_\_
- was filed as PCT Application No. PCT/JP03/07633 on June 16, 2003  
and (*if applicable*) was amended under PCT Article 19 on \_\_\_\_\_

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign and PCT application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America listed in this Declaration. I have also identified below any foreign application for patent or inventor's certificate or PCT international application having a filing date before that of the application(s) on which priority is claimed:

Foreign/PCT Application No.	Country	Filing Date	Priority Claimed - Yes/No
2002-179789	Japan	June 20, 2002	Yes
2002-131731	Japan	May 9, 2003	Yes

I hereby claim the benefit under Title 35, United States Code, §120 or §365(c) of any United States application and PCT international application designating the United States of America listed in this Declaration and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Application No.	Filing Date	Status - Patented/Pending/Abandoned

I hereby claim priority benefits under Title 35 United States Code §119(e) of any U.S. provisional application(s) listed below:

U.S. Provisional Application No.	Filing Date

I/we hereby appoint all attorneys of Smith, Gambrell & Russell, LLP, who are listed under the U.S. PTO Customer Number shown below, as my/our attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under this Customer Number may be changed from time to time at the sole discretion of Smith, Gambrell & Russell, LLP. I/we request that all correspondence be addressed to the address filed under the same U.S. PTO Customer Number.

00441

Send all correspondence to: **Smith, Gambrell & Russell, LLP**  
**1850 M Street, NW - Suite 800**  
**Washington, DC 20036.**

All facsimiles may be sent to (202) 263-4329. Direct all phone calls to (202) 263-4300.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

\* \* \* \* \*

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**Full name of sole or first inventor**

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Date : Dec. 24. 2004

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Signature : T. Toda

Date : Dec. 27. 2004

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**Citizenship**

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**Post office address**

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Signature : E. Yokota

Date : Dec. 27. 2004

Applicant or Patentee: \_\_\_\_\_  
 Application or Patent No.: \_\_\_\_\_ Attorney Docket No.: \_\_\_\_\_  
 Filed or Issued: \_\_\_\_\_  
 For: \_\_\_\_\_

**STATEMENT CLAIMING SMALL ENTITY STATUS  
 (37 CFR 1.9(f) and 1.27(c))-SMALL BUSINESS CONCERN**

- the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN UBUKATA INDUSTRIES CO., LTD.  
4-30, Hosho-cho, Minami-ku  
 ADDRESS OF CONCERN Nagoya, Aichi 457-0828, Japan

The above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

Rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled: CAPACITANCE TYPE LIQUID SENSOR by inventor(s) Mitsuhiko URANO, Takashi TODA and Eisaku YOKOTA described in:

- the specification filed herewith.  
 application no. \_\_\_\_\_, filed \_\_\_\_\_  
 patent no. \_\_\_\_\_ issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL     SMALL BUSINESS CONCERN     NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL     SMALL BUSINESS CONCERN     NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

TYPEWRITTEN NAME OF PERSON SIGNING Shinya UBUKATA

TYPEWRITTEN ADDRESS OF PERSON SIGNING c/o UBUKATA INDUSTRIES CO., LTD.,  
4-30, Hosho-cho, Minami-ku, Nagoya, Aichi 457-0828, Japan

SIGNATURE [Signature] DATE: 21/12/2004